

## IN THE CLAIMS

1. (Original) An assay device for detecting the genetic predisposition to respond to treatment of antitumor drugs useful for lung cancer based on the detection of polymorphisms and/or loss of heterozygosity in the ERCC2/XPD repair gene, the locus of which is defined by GenBank sequences X52221 and X52222, characterized by comprising at least one of the oligonucleotide probes selected among SEQ ID NO: 1 and SEQ ID NO: 2; or SEQ ID NO: 5 and SEQ ID NO: 6.
2. (Original) An assay device, characterized in that the probes are used as human DNA sample mapping primers in polymerase chain reaction (PCR) reaction technique.
3. (Original) An assay device, characterized in that the probes are used as human DNA sample mapping primers in automatic sequencing technique.
4. (Currently Amended) An assay device according to ~~any of claims~~ claim 1 to 3, characterized by detecting Lys751Gln or Asp312Asn polymorphisms, respectively, for each pair of primers.
5. (Currently Amended) An assay device according to ~~any of claims~~ claim 1 to 4, characterized in that the antitumor drug is a combination of cisplatin with a second antitumor compound selected among gemcitabine, vinorelbine or docetaxel.
6. (Original) The oligonucleotide primers for detecting the genetic predisposition to the response to antitumor drugs, characterized by the sequences represented by SEQ ID NO: 1, SEQ ID NO: 2, SEQ ID NO: 5 and SEQ ID NO: 6.

7. (Original) The oligonucleotides according to claim 6, characterized in that the antitumor drug is a combination of cisplatin with a second antitumor compound selected among gemcitabine, vinorelbine or docetaxel.

8. (Original) The use as primers for detecting the genetic predisposition to the response to antitumor drugs of the oligonucleotides represented by SEQ ID NO: 3, SEQ ID NO: 4, SEQ ID NO: 7 or SEQ ID NO: 8.

9. (Original) The use according to claim 3, characterized in that the antitumor drug is a combination of cisplatin with a second antitumor compound selected among gemcitabine, vinorelbine or docetaxel.